

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Roland Walch
Serial No.: 10/561,910
Filing Date: 05/23/2007
For: DIGITAL ENCODING OF IMAGES OF SKIN-COVERED BODY PARTS
Art Unit: 2624
Examiner: CHAWAN, Sheela C.
Agent of Record: c. Marc Benoit / 514-658-4844, # 210

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
U.S.A.

Sir:

In response to the Notice of Allowability of October 14, 2009, please consider the following comments on the Statement of Reasons for Allowance.

The payment of the Final Fee in the present case is not an admission that the Applicant agrees with the Statement of Reasons for Allowance. The Applicant does not necessarily agree that the prior art identified as the closest to the claimed invention is in fact the closest prior art. Furthermore, the Applicant does not admit that the identified limitations are those which differentiate the claims from the prior art. Hence, the payment of the Final Fee should not be used as a reason for construing the limitations identified by the Examiner as essential elements of the claims.

Respectfully submitted,

By: Roland Walch

/C. Marc Benoit/
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